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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 LUIS FARIAS MENDOZA,

13 Defendant.  
14 \_\_\_\_\_

) NO. CR07-5609FDB  
)  
)

) FINAL ORDER OF FORFEITURE  
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15 THIS MATTER comes before the Court on motion of the United States for entry  
16 of a Final Order of Forfeiture with respect to the following real property to the United  
17 States of America:

18 Real property commonly known as 2727 Aberdeen Avenue, Hoquiam,  
19 Washington, Grays Harbor County Parcel #055204401800, together with its  
20 Buildings, Improvements, Appurtenances, Fixtures, Attachments, and  
Easements, more particularly described as:

21 ONTARIO LOT 18, BLOCK 44, GRAYS HARBOR  
22 COUNTY, WASHINGTON.

23 The asset was subject to forfeiture pursuant to Title 21, United States Code,  
24 Section 853, based on Luis Farias Mendoza's guilty plea to Distribution of  
25 Methamphetamine, as charged in Count 10 of the Indictment, in violation of Title 21,  
26 United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18, United States  
27 Code, Section 2, and his agreement to forfeit this property.

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1 Pursuant to Title 21, United States Code, Section 853, the United States published  
2 notice in the Daily Journal of Commerce on May 23, May 30, and June 6, 2008, of the  
3 Preliminary Order of Forfeiture and of the intent of the United States to dispose of the  
4 above-listed property in accordance with law. This notice further stated that any person  
5 other than the defendant having or claiming an interest in the above-listed property was  
6 required to file a petition with the Court within thirty (30) days of the final publication of  
7 the notice or personal receipt of notice, whichever is earlier, setting forth the nature of the  
8 petitioner's right, title and interest in the property.

9 On May 9, 2008, the United States served notice, via certified mail, return receipt  
10 requested, to Karen J. Powers of the intent of the United States to forfeit the asset listed in  
11 the Notice of Publication in the criminal case filed against Luis Farias Mendoza.

12 Notice was also served on Don Bell, III, who filed a third party petition in this  
13 action on June 12, 2008. The United States opposed Claimant Bell's Petition and a  
14 hearing on the Third Party Petition was held on November 20, 2008. On December 2,  
15 2008, the Court entered Findings of Fact and Conclusions of Law denying the Petition of  
16 Don Bell, III, and finding that Karen J. Powers had been timely served with notice of this  
17 action, had failed to appear, and that the time for doing so had expired. No other  
18 petitioners or claimants have come forth to assert an interest in the forfeited property.  
19 Accordingly,

20 IT IS ORDERED, ADJUDGED and DECREED that the following real property  
21 forfeited by Luis Farias Mendoza is hereby fully and finally condemned and forfeited to  
22 the United States in its entirety:

- 23 a. Real property commonly known as 2727 Aberdeen Avenue,  
24 Hoquiam, Washington, Grays Harbor County Parcel  
25 #055204401800, together with its Buildings, Improvements,  
Appurtenances, Fixtures, Attachments, and Easements, more  
particularly described as:


26 ONTARIO LOT 18, BLOCK 44, GRAYS  
27 HARBOR COUNTY, WASHINGTON.

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1 The United States Marshals Service is authorized to dispose of the above-listed  
2 property in accordance with the law.

3 The Clerk of the Court is hereby directed to send a copy of this Final Order of  
4 Forfeiture to all counsel of record and to send three (3) "raised seal" certified copies to  
5 the United States Marshals Service in Seattle, Washington.

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7 DATED this 13<sup>th</sup> day of February, 2009.

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10   
11 FRANKLIN D. BURGESS  
12 UNITED STATES DISTRICT JUDGE  
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14 Presented by:

15 s/Richard E. Cohen  
16 RICHARD E. COHEN  
17 Assistant United States Attorney  
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